

# 12/19/02  
Shaw  
1/2/03

PTO/SB/31 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>NOTICE TO APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> 36856.64	
In re Application of Michio KADOTA			
Application Number 09/038,717		Filed January 28, 1998	
For SURFACE ACOUSTIC WAVE DEVICE			
Group Art Unit 2834		Examiner M. Budd	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, August 20, 2002, rejecting the following claims: 1-9

The fee for this Notice of Appeal is (37 CFR 1.17 (b)) \$320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee shown above is reduced by half, and the resulting fee is: \$\_\_\_\_\_.

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1353. I have enclosed a duplicate copy of this sheet.

☒ A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING:** Information on this form may become public. Credit card information should not be included in this form. Provide credit card information an authorization on PTO-2038.

I am the

☐ applicant/inventor.

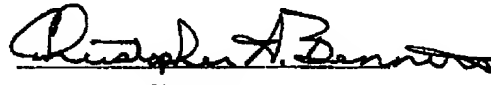
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐ attorney or agent of record.

☒ attorney or agent acting under 37 CFR 1.34(a)  
Registration number, if acting under 37 CFR 1.34(a) 46,710.

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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit Multiple forms if more than one signature is required, see below\*.

  
 Signature  
 Christopher A. Bennett  
 Typed or printed name  
 December 19, 2002  
 Date

☒ \*Total of 2 forms are submitted

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.